

## Are you abating lead-based paint hazards?

Projects designed to permanently eliminate the lead hazards are abatements and must be performed in accordance with Indiana Department of Environmental Management (IDEM) requirements (found at 326 IAC 23).

All abatement projects must be performed by an IDEM-licensed contractor (call IDEM at 888-574-8150 or go to [www.in.gov/idem/air/compliance/leadcontractor.pdf](http://www.in.gov/idem/air/compliance/leadcontractor.pdf) on the Internet)

*It is not an abatement project if:*

- The hazards are eliminated for less 20 years, such as repainting, or
- The hazard elimination is incidental to facility repair or renovation.

## How Do You Know If You Did the Work Properly?

Have a clearance examination done on the work by a licensed risk assessor, inspector or clearance examiner. The examination involves:

- Ensuring cause of problem is fixed;
- Inspecting for deteriorated paint
- Looking for visible paint debris; and
- Taking interior dust wipe samples.

## For More Information

- **IDEM** — 888-574-8150 or [www.in.gov/idem/air/compliance/](http://www.in.gov/idem/air/compliance/)
- **Lead-Safe Indiana Task Force & Improving Kids' Environment** — 317-442-3973 or [www.ikecoalition.org/lead/](http://www.ikecoalition.org/lead/)

## Are HUD Funds Involved?

If funding for the work, the tenant or the owner is from the U.S. Department of Housing and Urban Development, HUD sets special requirements (found at 24 CFR 35).

Examples include public housing projects, Section 8 rental property, and HUD rehab grants.

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## Now that you have your building permit . . . You must deal with lead-based paint for kids' sake!

If you are working on a home or child-occupied facility built before 1960, you *must*:

- Clean up all visible paint chips and painted debris within 48 hours; and
- Not dry-sand, dry-scrape or burn more than small amounts of paint. (See page 2 for details.)



If the home was built before 1978, you *must*:

- Provide written notice of lead-based paint hazards to the owner and occupant before work begins; (See page 3.) and
- Follow specific procedures if the work is performed with HUD funds or a HUD-financed property. (See page 4).



If the project is designed to eliminate lead-based paint or its hazards, only a state-licensed lead abatement contractor can do the work. (See page 4).

## If you are working in an Indiana home or child-occupied facility built before 1960

Indiana has established special requirements (found at IC 13-17-14-12 & 326 IAC 23-5) for all persons doing remodeling, renovation, and maintenance work in such facilities.

*If you work on inside paint, you must not remove paint by:*

1. **Open flame burning or torching.**
2. **Machine sanding or grinding** without high efficiency particulate air local exhaust control.
3. **Abrasive blasting or sandblasting** without high efficiency particulate air local exhaust control.
4. **A heat gun** that:
  - i. operates above 1,100°F; or
  - ii. chars the paint.
5. **Dry scraping**, except:
  - i. in conjunction with a heat gun; or
  - ii. within one foot of an electrical outlet.
6. **Dry sanding**, except within one foot of an electrical outlet.
7. Using a **volatile stripper** that is an OSHA hazardous chemical in a space that is not ventilated by the circulation of outside air,

*If you work on outside paint , you must:*

1. **Observe the work practice prohibitions for inside paint**, and
2. **Clean up** all visible paint chips or painted debris remaining on the soil, pavement, or other exterior horizontal surface within than forty-eight hours after completing exterior paint activities.

These requirements do not apply to:

- Paint that a licensed risk assessor or lead inspector says is not lead-based paint.
- An homeowner, unless:
  - ◇ Someone other than a member of the immediate family is present while work is done; or
  - ◇ A lead poisoned child lives in building.
- Less than the following amounts of paint is disturbed:
  - ◇ Twenty square feet of exterior paint;
  - ◇ Two square feet of interior painted surfaces in any one room or space; or
  - ◇ 10% of the painted surface area of components of the building.

## Improperly performing paint-related work may poison you, your employees, your client and even your own family.

Paint dust at the job, on your clothing, and in your vehicle is a risk to anyone who contact it. In children, lead causes permanent brain damage. In children and adults, it damages nerves, kidneys and reproductive system. Therefore, the **penalties are serious for violating these rules — up to \$25,000 per day per violation. Flagrant violations can be a Class D criminal felony.**

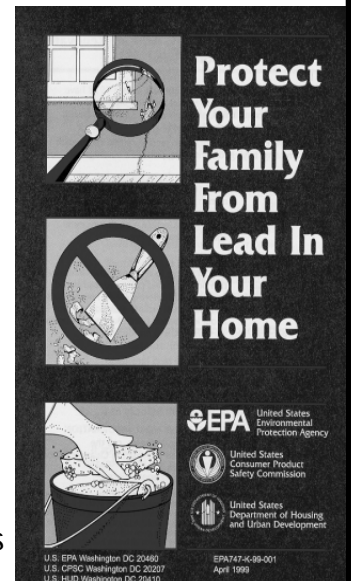
## If you are working in an home built before 1978

The U.S. Environmental Protection Agency has established special notification requirements (found at 40 CFR 745.85) for any contractor who disturbs more than two square feet of interior paint in a home built before 1978.

The contractor *must* provide the owner and occupants with the EPA-produced pamphlet, "Protect Your Family From Lead in Your Home" pamphlet.

The pamphlet must be given before the work begins but not more than 60 days before. Certified mail must be sent 7 days before renovation begins.

You can either send it by certified mail or have the owner and adult occupant sign a written acknowledgement of receipt of the pamphlet. If a common area is affected, tenants must be notified *in writing* of the location and dates of the work and that the EPA pamphlet is available.



Cover of Required Pamphlet